In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 19186 of 2006

Date of Decision: 05.12.2006

Smt. Illa Johar Bishnoi

…Petitioner

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. Subhash Ahuja, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

The instant petition is directed against the transfer order dated 27.11.2006 (P-5) whereby the transfer/posting order issued vide No. 4/99-2006 CI(1), dated 13.7.2006, posting in relation to the transfer of Smt. Kapila Sharda, Lecturer in Sanskrit, Government College, Panchkula, to Government College, Kalka, has been cancelled and it has been ordered that the petitioner shall continue at Government College, Kalka. The impugned order dated 27.11.2006 (P-5) is stated to be in contravention of the transfer policy dated 6.10.2004 (P-7) as well as in violation of the decision of the State

Government, dated 10.11.2006 (P-6) whereby it has been circulated that there will be a blanket ban on transfers of all categories of employees in the State of Haryana. It is appropriate to mention here that before approaching this Court the petitioner has not made any representation to the respondents bringing to their notice the aforementioned violations of the ban order and the transfer policy Annexures P-6 and P-7. Therefore, we deem it just and appropriate to relegate the petitioner to the remedy of filing representation before the respondents by bringing to their notice all the grounds taken in this petition. Let a representation be made under a Registered A.D. cover within a period of two weeks and if that be done then the respondents shall pass a speaking order on the representation made by the petitioner within a period of four weeks from the date of receipt of the representation.

The writ petition stands disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)

December 5, 2006
JUDGE
Pkapoor